

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held February 20, 2007

A business meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Lori Wissler, Planning and Zoning Officer; Jeff Case, Arora and Associates, Judith Kennerdell, H. Edward Black and Associates; Todd Wilson, Alpha Consulting Engineers, Inc.; and Daniel Schiavoni.

Pledge of Allegiance

Mr. Seeds led in the recitation of the Pledge of Allegiance.

Approval of Minutes

Mr. Hornung made a motion to approve the minutes of the January 9, 2007 workshop meeting. Mr. Seeds seconded the motion, and a unanimous vote followed.

Public Comment

Mr. Mark Levine, 1507 Knollcrest Road, requested that the public comment be moved to after the Police Department's Awards Ceremony. Mr. Hawk denied the request as he did not deem it to be necessary.

Mr. Levine thanked Mr. Wolfe for the excellent job the Township Public Works Department did with the recent snow removal. He also wanted to thank a local hardware store for having salt, when the big box stores did not.

Mr. Levine noted that if it is found that there is a major problem with the Capital Tax Collection Bureau (CTCB), he suggested that the Township should establish a Township

Authority to replace the CTCB, and collect its own taxes. Mr. Hawk noted that more information would follow regarding this issue as the Township discusses this issue with the other Central Dauphin School District taxing municipalities.

Chairman & Board Members' Comments

No comment was presented.

Police Department Awards Ceremony

Chief Daniel Bair invited the Board members to join him at the podium. He noted that this was his opportunity to introduce to the Board of Supervisors the community members, and police officers, who have demonstrated a special service to the community. Chief Bair presented the following awards to the deserving parties.

Civilian Support Award

Chief Bair explained that *Mr. Wayne Shearer*, owner of Shearer's Locksmith, has provided a valuable service to the visitors and citizens of Lower Paxton Township. He explained that, on numerous occasions, he has assisted in unlocking home and vehicles for citizens, especially when children have been mistakenly locked in vehicles or homes. He noted that Mr. Shearer responds immediately to emergency situations, and provides the service at no fee to the owner.

Chief Bair explained that *Mr. Michael Crawford*, while on break from his job at Weis Markets, overheard a woman screaming for help. He observed a male and female struggling in the parking lot, with the male taking the female's pocketbook and leaving in a nearby car. Mr. Crawford pursued the suspect's vehicle and was able to obtain the registration that resulted in a subsequent arrest.

Chief Bair explained that *Mr. Phillip Thompson and Mr. David Weiss*, observed a theft that occurred in January 2006, at the Media Play on Jonestown Road. He noted that the suspect fled on foot, and both parties pursued the suspect, and struggled with the suspect who produced a

box cutter from his pocket. Subsequently, both Mr. Thompson and Mr. Weiss were cut by the suspect, but the suspect fled the scene and was arrested by police officers a short time later. Mr. Thompson was able to identify the suspect.

Chief Bair explained that *Dr. Gary Swartz* was traveling on Colonial Road on July 2006, when he observed a bicyclist fall to the side of the roadway. He immediately stopped to render medical assistance, and found that the man was not breathing and had no pulse. Dr. Swartz immediately began CPR, and was assisted by *Dr. Dennis Destafano*. He noted that both doctors continued to administer CPR until Officer Chad Miller arrived with a portable defibrillator. Officer Miller employed the defibrillator, and the victim's heart was successfully stimulated. He noted that it was highly probable that the victim would not have lived if it were not for the actions of the two doctors who stopped to assist him.

Officer's Life Saving Award

Chief Bair reported that *Officer Chad Miller* was present at the same incident that occurred on Colonial Road on July 2006, and he rendered assistance with the portable defibrillator to stimulate the victim's heart. He noted that, as a result of Officer Miller's actions, in conjunction with Doctors Swartz and Destafano, the victim survived.

Award of Merit

Chief Bair presented *Officer Curtis McCoy* with the Award of Merit as a result of his initiative to start a school-based program at the Central Dauphin East High School, the "Panther Academy for Character Training" to address unacceptable student behavior. He noted that the program includes segments on anger management, decision making, and personal interaction concepts. Chief Bair reported that the school administration subsequently decided to adopt the program as part of its curriculum, and participation in the four-hour program is mandatory for all freshmen. He explained that Officer McCoy is the School Resource Officer and the instructor for the program at the Central Dauphin East High School.

Chief's Fitness Award

Chief Bair explained that this is the first presentation of this award, and it is presented to *Officer Walter Cook*. He explained that the Police Department instituted a physical fitness program, "Fit for Duty, Fit for Life" in August of 2006. He explained that it is designed to encourage officers to maintain a healthy lifestyle and a level of fitness necessary to perform the duties of the job. He explained that officers participated in six separate tests, and Officer Cook scored the highest scores: 300 meter dash, 43.97 seconds; 1½ mile run, 10.16 seconds; maximum bench press, 355 pounds; push-ups, 151 in 2 minutes; sit-ups, 90 in 2 minutes; and a vertical jump of 23 inches.

Career Service Awards

Chief Bair explained that *Detective Gordon Goodrow and Officer Scott Starr* have attained 20 years of service with the Police Department as of September 15, 2006. Chief Bair explained that Detective Goodrow has served as a patrol officer and is now assigned as a lead investigator on all sexual assault cases for the Criminal Investigation Unit. Officer Starr has served as a patrol officer and is now assigned as the Department's Warrant Officer.

Unit Citation Award – Traffic Safety Unit

Chief Bair explained that this award is presented to a unit that works together as a team to achieve a pre-established goal. He noted for year 2006, the Unit Citation is presented to the Traffic Safety Unit that is made up of the following members; *Sergeant Robert Anderson, Corporal Leo Zuvich, Officers Donald McCurdy, Kevin Roland, luAnna Brook, Steve Cover, Gregory Geib, and Brian McIntyre*. Chief Bair explained that the Traffic Safety Unit is tasked with preventing traffic accidents and enforcing traffic law violations. He noted that one of their goals for the year 2006 was to reduce the number of accidents that occur along a section of Union Deposit Road near Interstate 83. He noted that this is the number one area in the Township for reportable traffic accidents. He reported that the Unit set a goal of a 5% reduction

in accidents, and in the year 2006, a record amount of enforcement actions was taken against 1,200 drivers that resulted in a reduction in the accident rate by 14%.

Officer of the Year – Uniform

Chief Bair noted that the Uniform Officer of the Year Award is presented to *Sergeant Steven Paioletti*. He noted that Sgt. Paioletti is a 32-year veteran and has earned the respect of every member of the Police Department through his work ethic, mentoring skills, and leadership abilities. He continually seeks opportunities to teach younger officers how best to serve the public while always remaining safe in the performance of their duties. He explained that Sergeant Paioletti was nominated by a Lieutenant, Sergeants, Corporal and officers in his platoon as well as other patrol units.

Officer of the Year – Non-Uniformed

Chief Bair noted that the Non-Uniformed Officer of the Year Award is presented to *Detective Jeffrey Corcoran*. He noted that in 2006, Det. Corcoran was involved in investigations of several high-profile commercial and residential burglaries, that resulted in the arrest of several individuals, and the recovery of thousands of dollars of property. He noted that he is also responsible for computer forensic investigations, and has helped to lead the criminal unit in the number of cases closed by arrest in 2006. In addition to his investigative work, he has donated countless hours to participate in the Citizen's Police Academy, National Night Out, and Youth Camp.

Mr. Hawk congratulated the citizens who received the awards, and thanked them for getting involved and for the heroic actions that they have taken. He noted that he constantly sings the praises of the Police Department, as they continue to set a tremendous example for other police departments.

An anonymous citizen requested that a white line be painted along Linglestown Road in the area of Blue Mountain Parkway to help with the night vision. Mr. Seeds suggested that a

white line is already painted on the road which is a state highway. Mr. Hornung noted that he would have this issue addressed by the proper authorities.

Manager's Report

Mr. Wolfe noted that the Township Police Department is accepting applications for its Citizen's Police Academy. Classes will begin on March 14, 2007, and the class size is limited to 20 students, and attendees must be 18 years or older to participate. He noted that the Academy is taught by Township police officers and the course work will focus on the following:

Presentations by the Dauphin County Crises Response Team, Drug Task Force, Accident Reconstruction Team, and Forensic Team. It will also include training on the In-Step Program for Speed and Traffic Control, tours of the Dauphin County Prison and 911 Communications Center. In addition, a demonstration on firearms training will be included as well as instructions on patrol and criminal investigation tactics. He noted that applications are available from the Police Department and Township website.

Mr. Wolfe noted that the Friendship Community Center (FCC) will conduct the 4th Annual Family Night on Sunday, March 4th from 5:00 p.m. to 8:30 p.m. He noted that refreshments will be served, and a local elementary school chorus will provide entertainment. He noted that the proceeds from the event benefit the FCC Scholarship Fund.

Mr. Wolfe noted that on March 4th, the FCC will also sponsor a Hot Shot Basketball Contest for individuals of all ages from six on up. He noted that there is a minor charge for participation in this event, and that it will start at 1:00 p.m.

OLD BUSINESS

Resolution 07-12; action on the right-of-way plan for the Linglestown Square Project

Mr. Wolfe noted that this resolution authorizes the submission of the right-of-way plan for the Linglestown Square Project to the Pennsylvania Department of Transportation (PENNDOT). He noted that the Township cannot acquire the necessary right-of-way for the

project until this plan is approved by PENNDOT. He noted that once this is completed, then the Township can move forward in the bidding process. He explained that Mr. Jeff Case, Arora and Associates, is present to answer questions on the temporary and permanent right-of way acquisitions.

Mr. Case noted that the plan involves three separate areas of acquisition, permanent right-of-way that will be purchased for the Township, to include Township roads and parking facilities; permanent right of way acquisition that will be purchased by the Township and turned back to the Commonwealth, located largely in the Square area and the far eastern end of the project; and temporary construction easements that will allow access to the land to complete improvements, renting the land but not acquiring it.

Mr. Case noted that the areas shown in green are the temporary construction easements, and the areas in yellow and hatched would be the permanent acquisitions that will be retained by the Township. He noted that the extreme western end of the plan shows the new driveway for the United Church of God that will exit onto Linglestown Road. He noted that the area shown in yellow is the new bypass roadway, and explained that he tried to minimize the amount of right-of-way for the northern loop of the bypass road. Mr. Wolfe noted that the alignment for the proposed bypass road as indicated by Mr. Case is alternative five which has been a source of discussion among the Township and the Village of Linglestown Committee. He noted that the Village of Linglestown Committee, at its February 15th meeting, voted to recommend alternate five as part of the overall right-of-way plan.

Mr. Hornung questioned what the areas in yellow and white hatched marks indicated. Mr. Case answered that the entire property could not be shown on one sheet, and that is why it was drawn on the sheet in the manner that it was.

Mr. Case explained that there is no permanent acquisition in the Square area. Mr. Case proceeded to point out the various areas of acquisitions on the map. Mr. Wolfe questioned Mr.

Case how much land would need to be acquired for the project. Mr. Case answered that the total acquisition area is 3.2 acres, with 1.6 acre of temporary construction easements, 1.2 acres required by the Township, and .4 acres would be acquired the turned back to the Commonwealth. He noted that most of the area that would be returned to the Commonwealth is in the area of Balthaser Street. The purpose for this acquisition is to provide for a better sight distance.

Mr. Hawk noted that the Board of Supervisors has been following the progression of the project by way of attending meetings and reading of the Village of Linglestown minutes.

Mr. Blain noted that the parking spaces along Linglestown Road are back-in diagonal parking spaces, and he questioned if parking spaces near the Eagle Hotel would cause traffic congestion, as they are in close proximity to the roundabout. Mr. Case answered that it would slow the traffic, and this is the main reason for the project design. He noted that vehicles would slow, drive past the parking space, and then back into it. He noted that it would provide for the traffic behind the vehicle to slow as well, and an interruption to the flow of traffic would not be more than ten to fifteen seconds. He explained that it is proven to be a safer mean of parking since a vehicle would decrease its speed to park, and this would also slow the traffic behind the vehicle. He noted that when a vehicle leaves the parking space, it would provide for much better sight distance to see to exit the parking space.

Mr. Blain noted that the roundabout is new to the Commonwealth, and he questioned if it is known if it will function properly. He questioned if the back-in parking would create more accidents as vehicles would slow or stop to park. Mr. Case answered that there are not many roundabouts in Pennsylvania, but there is a Town Square in Pottsville that has had a reduction in the amount of accidents with back-in parking. He noted that, as engineers, he has looked at what works well in other areas and countries, and there is data available from those areas to show that the roundabout works.

Mr. Case noted that the back-in parking will not impede the traffic in the roundabout. Mr. Blain questioned if it would impede traffic during rush hour. Mr. Case answered that the roundabout meters the traffic that is traveling at a constant rate, and the 15 seconds a vehicle would have to wait to park a vehicle would not generate a huge problem.

Mr. Hawk questioned Chief Pierich if he wanted to make any comments. Chief Pierich noted, that as a member of the Village of Linglestown, he had no further comments to make.

Mr. Blain questioned if Mr. Case had an updated cost for the project. Mr. Case answered that he did not have the information with him, but estimated it to be around \$3 million.

Mr. Hornung moved to approve Resolution 2007-12; to adopt the right-of-way plan for the Linglestown Square Project as shown by Mr. Case. Mr. Seeds seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Mr. Hawk requested Chief Pierich to thank the members of the Village of Linglestown Committee for their hard work in developing the project. Chief Pierich noted that he would relay this to the chairman who was sick and unable to attend the meeting.

Resolution 07-13; Restating and amending the Fire Equipment Capital Plan

Mr. Wolfe explained that Chief Pierich, Chief Shields, and Chief Lowman are present to represent the plan and answer any questions. He noted that this resolution represents Phase III of the plan, noting that Phase I was adopted by the Board members in 1996, and Phase II was adopted in 1999. He noted that six primary fire pieces of equipment have been purchased to date that are operated by the three volunteer fire companies. He noted that the purchases totaled more than \$2.5 million. He explained that the proposed purchases for Phase III are as follows: an engine to replace engine 33-1 for Colonial Park Fire Company; a tanker to replace tanker 35 for Linglestown Fire Company, and the purchase of an engine for the Paxtonia Fire Company, who will retain engine 34 to be operated as a reserve unit for the Paxtonia Fire Company. He noted that old tanker 35, engine 35 and engine 33-1 will be sold with the proceeds deposited into the

Fire Equipment Capital Fund. He noted that the total costs for the new apparatus are approximately \$1.2 million, and Phase III has been recommended to the Board members by the Public Safety Committee. He noted that the recommendation was presented to the Board members by the Public Safety Director at the February 13th workshop meeting.

Mr. Seeds noted that earlier in the meeting, the Board members had an opportunity to show its appreciation to the members of the Police Department, and he explained that he would like to express his gratitude to the members of the three fire companies. He noted that he is pleased to know that he can rest at night knowing that the Township is protected by such dedicated volunteers. He stated that this is one of the things that makes the Township such a great place to live in.

Mr. Seeds made a motion to approve Resolution 2007-13; restating and amending the Fire Equipment Capital Plan, Phase III. Mr. Blain seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Action on fees proposed for services by the Township Engineer
for the 2007 calendar year

Mr. Wolfe explained that the Board members discussed this issue at the February 13th workshop meeting, and Mr. Snyder presented the Board members with a revised fee schedule for their consideration. He noted that the fee schedule provides for a one-year schedule, dated February 14, 2007, and it represents a 4% increase in the costs for services, over that charged to the Township in 2005 and 2006 by Herbert, Rowland, and Grubic, Inc. (HRG). He noted that he spoke to Mr. Crissman regarding the one-year fee schedule and Mr. Crissman stated that he was in agreement to the one-year schedule as proposed.

Mr. Blain questioned if the intent of the agreement was to enter into a three-year agreement for fee schedule. Mr. Wolfe answered that he was unable to obtain from Mr. Snyder a three-year schedule that he could present to the Board for a recommendation for acceptance. Mr.

Blain noted that it does not make sense that HRG, Inc. would provide a fee schedule for the year 2007, and then reduce the fee. He noted that it was good for the Township, but it didn't make sense. Mr. Hornung questioned if the Township should hold out for a three-year agreement. Mr. Blain noted that, initially, Mr. Snyder was to present a three-year agreement, but he only provided Mr. Wolfe with a one-year agreement with lower rates than originally proposed. Mr. Hawk suggested that the concept was to accept the reduced 2007 fee schedule, and then consider a Request for Proposals. Mr. Blain questioned why Mr. Snyder did not provide a three-year agreement as requested. Mr. Wolfe answered that Mr. Snyder stated that he would be willing to commit to a long-term agreement, but he was unable to obtain rates that he could recommend to the Board members for a long-term fee schedule. He noted that the long-term fee schedule was not acceptable to Mr. Crissman.

Mr. Blain questioned why HRG, Inc. did not present the lower fees initially. Mr. Wolfe answered that the original request was for a three-year agreement, and instead, they submitted a one-year request.

Mr. Blain made a motion to approve the one-year fee schedule set by HRG, Inc. that was revised on February 14, 2007 to perform the Township's engineering services. Mr. Hornung seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

NEW BUSINESS

Resolution 07-15; requesting reimbursement of funds from the MPOETC for a Field Officer training program

Mr. Hawk noted that this resolution provides for reimbursement to the Township for training that it conducted for a Field Officer Training Program. Mr. Seeds questioned if the Township is reimbursed for the third officer from Lower Swatara Township. Mr. Wolfe answered that the Township is only reimbursed for the training provided by its two officers,

noting that the other officer is part of the general application submitted to the Municipal Police Officers Education and Training Commission (MPOETC).

Mr. Seeds moved to accept Resolution 2007-15; requesting reimbursement of funds from the MPOETC for a Field Officer Training Program. Mr. Blain seconded the motion, and a unanimous voice vote followed.

Action on bids for the lease of a cell tower at the Public Works/Sewer Department site

Mr. Wolfe noted on February 16, 2007, staff opened the sole bid received by the Township for the lease of a cell tower site at the Public Works/Sanitary Sewer facility. He explained that the one bid was received from T-Mobile Northeast, LLC., who proposed a bid of a \$1,200 monthly lease payment over a term of 29 years, with an escalating payment of 10% at five year intervals, for a total lease amount of \$532,332.58.

Mr. Wolfe noted that the Township received a second bid after the deadline date.

Mr. Wolfe noted that T-Mobile lists on its supplement form of proposal, several items in regards to the Township's specifications that could be considered a modification of the bid specification. He suggested that this issue should be addressed by the Township Solicitor. He noted that he attached a copy of the annual payment 29-year schedule.

Mr. Wolfe noted that T-Mobile proposes the lease of a 40-foot by 60-foot area behind the Public Works Salt Storage Facility that is south of the existing Public Works Building and southwest of the existing Sanitary Sewer Building. He noted that this location is in an area that slopes downhill, with some of the area being in-filled by the Township.

Mr. Hornung requested Mr. Stine to elaborate on the bid received by the Township. Mr. Stine explained that T-Mobile submitted the bid documents, but noted that it is conditioned on the supplemental proposal which provides for changes to the specifications for the bid. He noted that it is known as a conditional bid which is not acceptable. He explained that the bid must be based on the Township's specifications, and it is not an acceptable form.

Mr. Hornung made a motion to reject all bids, and to submit a new proposal for bids. Mr. Seeds seconded the motion. He suggested that there may be more bids received if the project is rebid, and it may be more financially sound for the Township. Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Final subdivision for Wilshire Estates, Phase I

Ms. Wissler explained that Phase I involves approximately 42.59 acres of land located south of Windsor Road and east of Hampton Court Road. The tract is zoned R-1, Low Density Residential District, R-2, Medium Density Residential District, FP, Flood Plain Conservation District and SS, Steep Slope Conservation District. She explained that 41 single-family lots and 22 townhouse lots are proposed, and they will be served by public sewer and public water.

Ms. Wissler noted that on January 10, 2007, the Planning Commission recommended approval of the plan subject to addressing the review comments, and the waivers that were granted with the approval of the preliminary plan.

Ms. Wissler noted that Judith Kennerdell, from H. Edward Black and Associates, is present to represent the plan.

Mr. Seeds noted that nothing has changed from the preliminary plan. Ms. Wissler answered that that was correct.

Mr. Blain questioned if the applicant reviewed the comments from the Dauphin County Planning Commission. Ms. Wissler noted that staff, and Mr. Snyder, met with the applicant and the comments have been addressed.

Mr. Blain questioned Ms. Kennerdell if she had reviewed all comments and was in agreement with those comments. Ms. Kennerdell answered that she is in agreement.

Mr. Blain made a motion to approve the final subdivision plan 2006-45, for Wilshire Estates, Phase I with the following waivers (approved with the preliminary plan) and comments:

1) Waiver of the 275' minimum centerline curve radius for a minor road. The following is

proposed: Hampton Court - 2 curves at 225', Wilshire Road - 2 curves at 225', Gallo Way - 3 curves at 225' and 2 curves at 175', Pamela Road - 2 curves at 225', Royal Avenue - 1 curve at 175', and Royal Court - 1 curve at 175'; 2) Waiver of the maximum block length of 1,600 feet and, so far as practicable, a minimum length of 400 feet measured from the centerline of the intersecting streets; 3) Waiver of the requirement that a low flow channel and underdrain shall be provided in detention basins from each point of inflow to the outlet facility; 4) Waiver of the requirement that pipes shall be designed so as to provide a minimum velocity of 2½ feet per second when conveying the design discharge; 5) Waiver of the requirement to provide curb and sidewalk for the eastern "arm" of Lot #11; 6) Waiver of the requirement that driveways shall not be located less than 10 feet from a catch basin, drain inlet or fire hydrant; lots 9, 201, 212, 218, 223 and 227 are located less than 10 feet from a catch basin; 7) All conditions of the preliminary plan must be complied with; 8) Landscape setbacks need to be shown for the townhouse units as per Section 1175.19; 9) Fire hydrant locations must be reviewed and approved by the Fire Chief; 10) Plan approval shall be subject to addressing the comments in HRG's memo dated February 15, 2007; 11) Plan approval shall be subject to providing original seals and signatures on the plan; 12) Plan approval shall be subject to the establishment of an improvement guarantee for the proposed site improvements; 13) Plan approval shall be subject to the payment of the engineering review fees; 14) Plan approval shall be subject to the review and approval of sanitary sewer construction drawings by Lower Paxton Township Authority; 15) Plan approval shall be subject to obtaining the necessary permits required by Federal and State agencies for the disturbance of wetlands; 16) Plan approval shall be subject to planning module approval; 17) Final plan approval shall be subject to the payment of fee-in-lieu for 63 units at \$1,500.00 per unit; 18) A Street/Storm Sewer Construction Permit is required for the project; and 19) All signage must meet the requirement of the Lower Paxton Township Zoning Ordinances.

Mr. Hawk seconded the motion, and a roll call vote followed: Mr. Blain, aye; Mr. Hornung, aye; Mr. Seeds, aye; and Mr. Hawk, aye.

Preliminary/final land development plan for Schiavoni, LTD

Ms. Wissler noted that the purpose of this plan is to obtain Preliminary/Final Land Development approval for a proposed (36) unit townhome community. The property is a 5.12 acre tract of R-3 zoned land located on Crums Mill Road west of Beacon Drive. The community will be a condominium development composed of one (1) single lot held in common ownership. The proposed street and stormwater facilities will be privately owned and maintained by the Schiavoni Ltd. Condominium Association. All units shall be served by public sewer and public water.

Ms. Wissler noted on December 12, 2006, the Planning Commission recommended approval of the plan subject to addressing the review comments. The Commission also recommended approval of the requested waivers.

Ms. Wissler noted that Mr. Todd Wilson and Mr. Schiavoni are present to represent the plan.

Mr. Seeds noted that the waiver for the sidewalk should state that it is the western property line and not the eastern property line.

Mr. Seeds questioned if the comments from the Dauphin County Planning Commission (DCPC) need to be included, specifically item one related to sound issues, item two related to parking, and item ten regarding flood plain areas. Ms. Wissler answered that if they would need to be included, they would be listed as comments, similar to HRG's comments. She noted that the DCPC comments have already been addressed.

Mr. Blain noted that the agenda listed the plan as a preliminary subdivision plan, but he questioned if it should be the preliminary/final land development plan. Ms. Wissler noted that the agenda is wrong, and it should be a preliminary/final land development plan.

Mr. Todd Wilson, Alpha Consulting Engineers, Inc., explained that he is proposing 36 townhome units to be two-stories on a five-acre tract. He noted that the units would have one or two-car garages, and will be between 22-foot and 24-foot wide. He noted that the new ordinance requires 20% gross area for open space which averages roughly one acre. He noted that the entire development would be under a condominium association, and all the land, to include the roads, would be privately owned and maintained by the condominium association. He noted that public water and public sewer will be provided, and the storm water will be contained by a small detention pond.

Mr. Seeds noted that the developer is proposing 30-foot wide streets, which is okay for parking on one side of the street. He noted that the road would be privately maintained, but he has a concern that residents will call the Township with issues about parking, and also questioned the accessibility for fire apparatus. Mr. Wilson noted the reason for the waiver request is that he does not expect to have parking on both sides of the street. He noted that signage will be posted to restrict parking to the west side of the street. He suggested that there would not be much parking on the streets due to the availability of driveway space. He suggested that 30-foot would be adequate for this type of development. He noted that the extra six-foot made a big difference in making the units fit in with the required setbacks.

Mr. Seeds questioned Mr. Wilson if he was asking for slant curbs. Mr. Wilson answered that he would use the standard curbs with the curbs cuts for the driveways.

Mr. Blain questioned Mr. Wilson if signage would be installed to prevent parking on one side of the street. Mr. Wilson answered that it was a condition of one of HRG's comments, and this would be done.

Mr. Hornung made a recommendation to approve the preliminary/final land development plan 2006-36 for Schiavoni, LTD with the following waivers and comments: 1) Waiver of the requirement to submit a preliminary plan; 2) Waiver of the requirement that cul-de-sac streets

shall furnish access to no more than 20 dwelling units; 3) Waiver of the minimum cartway width requirement of thirty-six (36) feet; 4) Waiver of minimum street centerline radius of 250 feet; 5) Waiver of the requirement to construct sidewalks from the site entrance to the western property line on Crums Mill Road; 6) A condominium form of ownership of individual dwelling units, with a legally binding homeowners association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that there will be appropriate legal mechanisms in place and compliance with applicable State Law; 7) Plan approval shall be subject to addressing HRG's comments dated February 16, 2007; 8) Plan approval shall be subject to providing original seals and signatures; 9) Plan approval shall be subject to the establishment of an automatically renewable improvement guarantee for the proposed site improvements; 10) Plan approval shall be subject to the Dauphin County Conservation District's review and approval of an Erosion & Sedimentation Control Plan; 11) Plan approval shall be subject to Lower Paxton Township Sewer Department's review and approval of the sanitary sewer design; 12) Plan approval shall be subject to DEP's approval of a sewage facilities planning module; 13) Plan approval shall be subject to the payment of engineering review fees; 14) Plan approval shall be subject to the payment of fee-in-lieu for 36 units at \$2,300.00 per unit; 15) All proposed site signage, including construction signs, shall comply with the Lower Paxton Township Zoning Ordinance; and 16) A Street/Storm Sewer Construction Permit is required for construction of storm water facilities.

Mr. Seeds seconded the motion, and Mr. Hawk called for a roll call vote: Mr. Blain, aye; Mr. Hornung, aye, Mr. Seeds, aye, and Mr. Hawk, aye.

IMPROVEMENT GUARANTEES

Willow Brook, Phases V and VI

A new letter of credit with Fulton Bank in the amount of \$122,000.00 with an expiration date of February 6, 2008.

Pinnacle Family Medical Center

A reduction in a letter of credit with Vartan National Bank in the amount of \$16,170.00 with an expiration date of July 26, 2007.

Meadowview Village

An extension in a bond with Lexon Insurance Company in the amount of \$124,866.55 with an expiration date of March 27, 2008.

Mr. Seeds noted that the issues that he had with the Meadowview Village Improvement Guarantees was resolved. Mr. Seeds made a motion to approve the three listed Improvement Guarantees. Mr. Blain seconded the motion, and a unanimous voice vote followed.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and Lower Paxton Township Authority. Mr. Blain seconded the motion, and a unanimous vote followed.

Announcement

Mr. Blain provided an update on the actions by the members of the Central Dauphin School District Municipalities in regards to the Capital Tax Collection Bureau (CTCB). He noted that, as of today, seven of the eight entities have passed their resolutions regarding the CTCB issues. He noted that the members are waiting for the Borough of Dauphin to pass their resolution. He noted that a deadline has been set to forward the resolutions to CTCB by March 1, 2007. Mr. Seeds commended Mr. Blain and Mr. Crissman for initiating the discussions as part of the Audit Committee. He noted that they have done a great job in regards to the Earned Income Tax issue.

Adjournment

There being no further business, Mr. Blain made a motion to adjourn the meeting. Mr. Hornung seconded the motion, and the meeting adjourned at 8:56 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman
Township Secretary